IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.T.SANKARAN

WEDNESDAY, THE 10TH JANUARY 2007 / 20TH PAUSHA 1928

EFA.No. 15 of 2001()

AGAINST THE ORDER IN EA356/1999 EP281/95 IN OS.292/1993 of ADDL.SUB COURT, ALAPPUZHA

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APPELLANT/11th DEFENDANT IN THE E.A. 356/1999:

V. SUJATHA, GEETHANJALI,
THRIKKANARVATTOM, CHITTOOR ROAD,
COCHIN – 18.

BY ADV. SRI.T.C.MOHANDAS
ADV. SRI GANGADAS

RESPONDENTS/CLAIMANT & DEFENDANTS 1 AND 3 AND LEGAL HEIRS OF 2ND DEFENDANT IN O.S. 292/1993:

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1. THRESSIAMMA,
AZHIYAKKATHU HOUSE,
WARD NO.10, ARYAD PANCHAYAT,
THUMPOLI, ALAPPUZHA DIST.

2. K.K. KUMARAN, KUTTIPURATH HOUSE,
PATHIRAPALLY, ALAPPUZHA.

3. K.P. MURUKESAN, --DO-- --DO--

*4. RATNAMMA, W/O. DECEASED 2ND RESPONDENT
PALANI, KUTTIPURATH VEEDU, PATHIRAPALLY, ALAPPUZHA.

(*DIED. RESPONDENTS NOS. 5 TO 10 ARE RECORDED AS THE LEGAL REPRESENTATIVES OF DECEASED R4, AS PER ORDER DATED 12.04.2002 IN C.M.P.No. 3179 OF 2001.)

5. K.P. KARTHIKEYAN, S/O. PALANI, --DO-- --DO--.

6. K.P. NATESAN, --DO-- --DO--

7. K.P. MOHANAN, --DO-- --DO--

8. PRIYAMVADA THANKACHI,
KENACHANDRAPURAM, KOMMADI, ALAPPUZHA.

9. VALLIYAMMA, W/O. BALAN,
PUTHEN PARAMBIL PAZHAVEEDU, ALAPPUZHA.

10. BEENA, D/O. PALANI, KUTHOLIL,
CHIRAKADAVU, KAYAMKULAM.

R1 BY ADV. SRI.K. HARILAL.

THIS EXECUTION FIRST APPEAL HAVING BEEN FINALLY HEARD ON 10/01/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ORDER ON C.M.P.No. 3179 OF 2001 IN E.F.A.15 OF 2001.

DISMISSED.

10.01.2007 SD/- K.T. SANKARAN, JUDGE.

/true copy/

P.A. TO JUDGE

K.T. SANKARAN, J.

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EXECUTION FIRST APPEAL No. 15 OF 2001

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Dated this the 10th January, 2007

J U D G M E N T

It is submitted by the counsel for the appellant that the appellant died two years ago. Legal representatives of the appellant have not filed any application for impleading themselves as additional appellants. Appeal has therefore abated and it is accordingly dismissed.

K.T. SANKARAN,
JUDGE.

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K.T. SANKARAN, J.

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EXECUTION FIRST APPEAL No. 15 OF 2001

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Dated this the 10th January, 2007

J U D G M E N T